



USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/20/2022

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May 19, 2022

By ECF

Honorable Kimba M. Wood
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Mary Tardif v. City of New York, et al.,
No. 13 CV 4056 (KMW) (KNF)

Your Honor:

MEMO ENDORSED

I am one of the attorneys assigned to represent defendant the City of New York in the above-referenced matter. The parties write jointly to request an adjournment of the trial currently scheduled to begin May 23, 2022.

Trial in this matter was scheduled to begin on May 18, 2022. On May 16, 2022, it was rescheduled to May 23, 2022, due to a COVID exposure on the plaintiff's side. Unfortunately, on May 18, 2022, defense counsel learned of a separate COVID exposure on the defense team. The details of this exposure have been provided via phone, with all counsel, directly to chambers, and will not be reiterated here for privacy. As a result of this exposure a necessary member of the defense team may not be able to enter the courthouse for trial on May 23, 2022. Unfortunately, given the timing and current protocols, defendant will not know whether this individual will even be able to enter until the morning of May 23, 2022. Due to this uncertainty, as well as the impact of this situation on this individual, defendant is constrained to request an adjournment of the trial.

Plaintiff joins in this request, provided that this Court grant the parties an opportunity to meet and confer regarding witness/counsel availability for trial in June and July, due to the impact of this situation on the presentation of the plaintiff's case. If the trial were delayed by a day or two, plaintiff's experts would be unavailable to testify at all the rest of the next two weeks, due to prior commitments. Additionally, the plaintiff would bear the costs of her experts if the trial does not go forward at the last minute.

Accordingly, the parties reluctantly request that the Court adjourn the current trial date. The parties are making the necessary inquiries to ascertain the earliest available adjournment dates for the parties and witnesses and are prepared to submit a letter by May 25, 2022. The parties are also requesting that the Court adjourn the deadline to submit a joint letter regarding video exhibit designations from today, May 19, 2022, until a date closer to the adjourned trial date. This request is made due to the fact that counsel have not been able to confer on the relevant issues today.

Defendant thanks the Court for its consideration of this application.

Sincerely,


/s/

Hannah V. Faddis
Senior Counsel
Special Federal Litigation Division

cc: **BY ECF**
All Counsel of Record

Trial is adjourned. The parties shall submit a joint letter no later than May 25, 2022, listing their available dates for trial from June 1 to July 31.

The deadline to submit the joint letter regarding video exhibit designations is adjourned to May 25, 2022.

SO ORDERED.

**Dated: New York, New York
May 20, 2022**

/s/ Kimba M. Wood
KIMBA M. WOOD
United States District Judge